

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.2136 OF 2005
IN
FIRST APPEAL NO.832 OF 2005**

.....
Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions
& Registrar's orders.
.....

Court's or
Judge's orders

Mr.S.N.Gawade, A.G.P. for the Applicant.

CORAM: A.S.OKA, J.

DATED: MARCH 2, 2006.

P.C.:

1. Heard learned A.G.P. for the Applicant.
The challenge in the First Appeal is to
the Award under Section 18 of the Land
Acquisition Act, 1894. Execution of Award
cannot be stayed unless the entire amount
is deposited by the Applicant/Appellant.
Hence, There will be interim relief in
terms of prayer clause (b) subject to the
condition that the Applicant will deposit
the entire amount due and payable as per
the impugned Judgment and Award in the
reference Court within twelve weeks from
today. If the amount is not deposited
within stipulated period, stay granted

will stand vacated automatically.

2. If the amount is deposited by the Applicant the Respondent will be entitled to withdraw the said amount subject to furnishing security to the satisfaction of the Reference Court.

3. Civil Application is disposed of in above terms.

4. As this order is passed without notice to the Respondents, they will be at liberty to apply for modification of this order.

Judge.